

REMARKS

I. Status Summary

Claims 1-6, 9-13, 16-18, 21-24, 27-32, 35-37, 39-42, and 44-58 are pending in the present application. Claims 1, 3-6, 16-17, 21, 23-24, 27-28, 41-42, 44, 47-48, 51-54, and 58 have been amended; claims 9-13, 29-32, 35-37, 39-40, 46, 49-50, and 55-57 have been canceled; and new claims 59-60 have been added. No new matter has been introduced by the present amendment. Reconsideration of the application as amended and based on the arguments set forth hereinbelow is respectfully requested.

II. Specification

The specification has been amended herein to correct an obvious error. Lines 4-5 of the paragraph beginning at page 15, line 24 contained the language "... before reaching *measured level 204* can be estimated ..." (emphasis added). This language has been amended to substitute "predetermined level **206**" for "measured level **204**". It is clear from the first part of this paragraph that the estimation of the present subject matter is utilized for estimating predetermined level **206**, and that a sensor is utilized for detecting measured level **204**. In fact, the first part of the amended sentence reads "After determining when the level of the group of sheet articles is equal to the sensor measurement ...", which points out that the estimation of the number of sheet articles required occurs after measured level **204** has been detected and that this estimation is related to predetermined level **206**.

III. Claim Rejections Under 35 U.S.C. § 112

The Examiner has rejected claims 1, 9, 21, 29, 37, 41, 48-50, and 58 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In regards to claims 1, 9, 21, 29, 37, 41, 48 and 50, the Examiner contends that the use of the term “a portion of the resource units” is unclear and that it would be unclear to one of ordinary skill in the art how to determine the difference between (a) a size of a group of resource units and (b) a thickness of portion of the resource units. By the amendments above, claims 9, 29, 37, and 50 have been canceled. Also, claims 1, 21, 41, and 48 have been amended herein to, among other things, remove the “a portion” language. As such, applicants respectfully submit that the rejection of claims 1, 21, 41, and 48 under 35 U.S.C. § 112, second paragraph is now moot.

Regarding claims 9, 29, 41, 49, 50 and 58, the Examiner states that the method comprises at least two steps (the first step of detecting the size of the group and the second step of indicating based upon the thickness of the portion of the resource unit). The Examiner further states, however, that there is no step for determining, supplying, etc. that thickness in order for the indicating step to function. As such, the Examiner contends that it is unclear where the thickness determination used in the indicating step comes from. By the above amendments, claims 9, 29, 49, and 50 have been canceled. Claims 41 and 58 have been amended herein to, among other things, recite determination of when the group of resource units reaches a predetermined second level based upon a thickness of one or more of the resource units. Applicants

respectfully submit that each of the one or more of the resource units inherently has a thickness and this thickness may be inputted, measured, or otherwise supplied as described in the originally filed application. As such, it is respectfully submitted that the rejection of claims 41 and 58 under 35 U.S.C. § 112, second paragraph should now be withdrawn.

IV. Claim Rejections Under 35 U.S.C. §103

The Examiner has rejected claims 1-6, 9-13, 16-18, 21-24, 27-32, 35-37, 39-42, and 44-58 under 35 U.S.C. § 103(a) as being unpatentable over US Patent No. 5,961,115 to Blanck et al. (hereinafter "Blanck"). These rejections are respectfully traversed in light of the claim amendments made hereinabove and the following remarks.

In regards to independent claims 1, 9, 16, 21, 29, 37, 41, 44, and 46-58, the Examiner contends that Blanck discloses a method of monitoring resource units in a group comprising: (a) detecting a first size of a group of resource units; (b) determining a thickness of a portion of the resource units; and (c) indicating when the group of resource units reaches a predetermined second size after the portion of the resource units has been moved to the group and responsive to the determination of thickness in step (b). The Examiner acknowledges that Blanck does not specifically disclose utilizing the above method when resource units are removed from the group, however, the Examiner contends that using the above method in such an environment

would be obvious to one of ordinary skill in the art. This position is respectfully traversed as discussed below.

Blanck discloses a method of determining an output level of an output stack of print media in an image forming apparatus wherein the print media is transported, one at a time, to the output stack. A sensor positioned in association with the output stack senses when the output level of the output stack has reached a near full level and at this point at least one inherent physical characteristic of the print media is identified. The number of print media transported to the output stack is counted after the near full level is sensed and a determination that the output level of the output stack has reached a full level is made, dependent upon each of the at least one physical characteristic and the counted number of the print media.

Rather than merely transporting a predetermined number of print media sheets to the output bin after the near full level has been sensed, the disclosure of Blanck more closely estimates when the full level has been reached by using certain inherent physical characteristics of the media types for the print media which is transported into the output bin. Software within a host computer, or other input devices, is used to configure the particular media type which is placed within and transported from a selected input tray. Alternatively, identification of a physical characteristic of the print medium may be executed following the sensing of each individual print medium. In any event, the inherent physical characteristics utilized in Blanck are based upon the unique physical characteristics of the specific type of print media processed, such as the average thickness, curling factor, basis weight, and/or texture. A desired target

number of print media sheets which may be transported into the output bin after the near full level has been sensed is set, wherein this desired target number typically corresponds to the number of print media sheets which may be transported into the output bin for the most commonly used media type. When a determination is made that the full level exists, a visual and/or audible indication is provided to the user.

Independent claim 1 has been amended herein to more particularly define a method of monitoring resource units in a group in accordance with the present subject matter. The method comprises detecting a first level of a group of resource units and identifying a predetermined second level of the group of resource units, wherein the predetermined second level is lower than the first level. The method further includes removing one or more of the resource units from the group and determining when the group of resource units reaches the predetermined second level after one or more of the resource units has been removed from the group and based upon a thickness of one or more of the resource units and a distance between the first level and the second level. Support for these amendments can be found throughout the application as filed, most notably on page 16, lines 1-11. As discussed below, there is no teaching, suggestion or motivation in Blanck of the method as recited presently in claim 1.

Blanck estimates when the FULL (F) level has been reached in an output bin by using certain inherent physical characteristics of the media type and the counted number of the print media, wherein the FULL (F) level is a level above the NEAR FULL (NF) level that is sensed by a sensor. In contrast to Blanck, the method of the

present subject matter as defined in amended claim 1 includes the step of identifying a predetermined second level of the group of resource units, wherein the predetermined second level is lower than the first level (the first level being detected by a sensor). The predetermined second level is lower than the first level since the present subject matter is related to the removal of resource units from a group.

There is no teaching or suggestion in Blanck of the removal of one or more resource units from a group. In fact, the recited step of removal of resource units in amended claim 1 is directly contrary to the apparatus described in Blanck, wherein the number and physical characteristics of the print media transported to the output stack are determined prior to disposition into the output stack and the print media is thereafter added to the output stack until the FULL (F) level is reached.

In contrast to the disclosure of Blanck, which bases the determination that the output level of the output stack has reached a FULL (F) level upon at least one physical characteristic and the counted number of the print media, the determination that a group of resource units has reached a predetermined second level after one or more of the resource units has been removed from the group, as recited in amended claim 1, is based upon a thickness of one or more of the resource units and a distance between the first level and the second level of the group of resource units. There is no teaching, suggestion or motivation in Blanck to determine that a group of resource units has reached a predetermined second level based upon a thickness of one or more of the resource units and a distance between the first level and the second level of the group of resource units. Rather, Blanck teaches utilization of the number and

physical characteristics of the print media transported to the output stack as determined prior to disposition into the output stack

Summarily, there is no teaching, suggestion or motivation in Blanck of identifying a predetermined second level of a group of resource units, wherein the predetermined second level is lower than a first level. Additionally, there is no teaching, suggestion or motivation in Blanck of removing one or more of the resource units from the group. Also, there is no teaching, suggestion or motivation in Blanck of determining when the group of resource units reaches the predetermined second level after one or more of the resource units has been removed from the group and based upon a thickness of one or more of the resource units and a distance between the first level and the second level. As such, applicants respectfully submit that Blanck fails to render claim 1 obvious.

By the above amendments, independent claim 9 has been canceled.

Independent claim 16 was a previously allowed claim that the Examiner has now rejected in view of Blanck. Claim 16 has been amended herein to more particularly define a method for controlling removal of sheet articles from a stack in accordance with the present subject matter. The method comprises detecting a first level of a stack of sheet articles and identifying a predetermined second level of the stack of sheet articles, wherein the predetermined second level is lower than the first level. The method further includes removing one or more sheet articles from the stack, determining an actual thickness of one or more of the sheet articles removed from the stack, determining when the stack of sheet articles reaches the

predetermined second level based upon the determination of actual thickness and a distance between the first level and the second level, and selectively stopping removal of sheet articles from the stack. As described above, Blanck bases the determination that the output level of the output stack has reached a full level upon at least one physical characteristic and the counted number of the print media, and the print media is thereafter added to the output stack until the FULL (F) level is reached. There is no teaching, suggestion or motivation in Blanck of identifying a predetermined second level of a stack of sheet articles, wherein the predetermined second level is lower than a first level. Additionally, there is no teaching, suggestion or motivation in Blanck of removing one or more sheet articles from the stack. Also, there is no teaching, suggestion or motivation in Blanck of determining an actual thickness (e.g., by actual measurement) of one or more of the sheet articles removed from the stack. Additionally, there is no teaching, suggestion or motivation in Blanck of determining when the stack of sheet articles reaches the predetermined second level based upon the determination of actual thickness of one or more of the sheet articles and a distance between the first level and the second level. As such, applicants respectfully submit that Blanck fails to render claim 16 obvious.

Independent claim 21 has been amended herein to more particularly define a system for monitoring resource units in a group in accordance with the present subject matter. The system comprises a container for containing a group of resource units, a measurement detector for detecting a first level of the group of resource units, and a controller for identifying a predetermined second level of the group of resource units,

wherein the predetermined second level is lower than the first level. The system further includes a device for removing one or more of the resource units from the group and a controller adapted for determining when the group of resource units reaches the predetermined second level after removal of one or more of the resource units from the group and based upon a thickness of one or more of the resource units and a distance between the first level and the second level. As described above, Blanck discloses a device wherein the determination that the output level of the output stack has reached a full level is based upon at least one physical characteristic and the counted number of the print media, and the print media is thereafter added to the output stack until the FULL (F) level is reached. In Blanck, there is no teaching, suggestion or motivation of a controller for identifying a predetermined second level of a group of resource units, wherein the predetermined second level is lower than a first level. Additionally, there is no teaching, suggestion or motivation in Blanck of a device for removing one or more of the resource units from the group. Also, there is no teaching, suggestion or motivation in Blanck of the controller further being adapted for determining when the group of resource units reaches the predetermined second level after removal of one or more of the resource units from the group and based upon a thickness of one or more of the resource units and a distance between the first level and the second level. As such, applicants respectfully submit that Blanck fails to render claim 21 obvious.

By the above amendments, independent claims 29 and 37 have been canceled.

Independent claim 41 has been amended herein to more particularly define a computer program product for monitoring resource units in a group according to the present subject matter. The computer program product comprises computer-executable instructions embodied in a computer-readable medium for performing steps comprising detecting a first level of a group of resource units and identifying a predetermined second level of the group of resource units, wherein the predetermined second level is lower than the first level. The computer program product steps further include removing one or more of the resource units from the group and determining, based upon a thickness of one or more of the resource units and a distance between the first level and the second level, when the group of resource units reaches the predetermined second level after one or more of the resource units has been removed from the group. As discussed in relation to claim 1 above, Blanck bases the determination that the output level of the output stack has reached a full level upon at least one physical characteristic and the counted number of the print media, and the print media is thereafter added to the output stack until the FULL (F) level is reached. There is no teaching, suggestion or motivation in Blanck of identifying a predetermined second level of a group of resource units, wherein the predetermined second level is lower than a first level. Additionally, there is no teaching, suggestion or motivation in Blanck of removing one or more of the resource units from the group. Also, there is no teaching, suggestion or motivation in Blanck of determining, based upon a thickness of one or more of the resource units and a distance between the first level and the second level, when the group of resource units reaches the predetermined second

level after one or more of the resource units has been removed from the group. Even if Blanck discloses a control system, as the Examiner contends, the distinguishing aspects of the present subject matter over Blanck discussed above are further defined with the inclusion of present subject matter in a computer program product environment. Therefore, applicants respectfully submit that Blanck fails to render claim 41 obvious.

Independent claim 44 was a previously allowed claim that the Examiner has now rejected in view of Blanck. Claim 44 has been amended herein to more particularly define a system for monitoring resource units in a group in accordance with the present subject matter. The system comprises a detector for detecting a first level of a group of resource units and a controller for identifying a predetermined second level of the group of resource units, wherein the predetermined second level is lower than the first level. The system further includes a device for removing one or more resource units from the group, a device for determining an actual thickness of one or more of the resource units removed from the group, and that the controller is further adapted for determining, responsive to the detector, when the group of resource units is below the first level, and for determining, responsive to the determination of actual thickness and a distance between the first level and the second level, when the group of resource units is below the predetermined second level. As described above in relation to claim 16, Blanck discloses a device wherein the determination that the output level of the output stack has reached a full level is based upon at least one physical characteristic and the counted number of the print

media, and the print media is thereafter added to the output stack until the FULL (F) level is reached. There is no teaching, suggestion or motivation in Blanck of a controller for identifying a predetermined second level of a group of resource units, wherein the predetermined second level is lower than a first level. Additionally, there is no teaching, suggestion or motivation in Blanck of a device for removing one or more resource units from the group. Also, there is no teaching, suggestion or motivation in Blanck of a device for determining an actual thickness (e.g., by actual measurement) of one or more of the resource units removed from the group. Additionally, there is no teaching, suggestion or motivation in Blanck of the controller further being adapted for determining, responsive to the determination of actual thickness and a distance between the first level and the second level, when the group of resource units is below the predetermined second level. As such, applicants respectfully submit that Blanck fails to render claim 44 obvious.

By the above amendments, independent claim 46 has been canceled.

Independent claim 47 was added by a previous Amendment based upon a combination of independent claim 1 and dependent claim 7 (previously canceled) and was a previously allowed claim that the Examiner has now rejected in view of Blanck. Independent claim 47 has been amended similarly to independent claim 1 discussed above and therefore, the comments presented above relating to claim 1 apply equally to claim 47 since claim 47 further defines the subject matter thereof. Specifically, there is no teaching, suggestion or motivation in Blanck of: (1) identifying a predetermined second level of a group of resource units, wherein the predetermined

second level is lower than a first level; (2) removing one or more of the resource units from the group; or (3) determining when the group of resource units reaches the predetermined second level after one or more of the resource units has been removed from the group and based upon a thickness of one or more of the resource units and a distance between the first level and the second level. As such, applicants respectfully submit that Blanck fails to render claim 47 obvious.

Independent claim 48 was added by a previous Amendment based upon a combination of independent claim 1 and dependent claim 8 (previously canceled). Independent claim 48 has been amended similarly to independent claim 1 discussed above and therefore, the comments presented above relating to claim 1 apply equally to claim 48 since claim 48 further defines the subject matter thereof. Specifically, there is no teaching, suggestion or motivation in Blanck of: (1) identifying a predetermined second level of a group of resource units, wherein the predetermined second level is lower than a first level; (2) removing one or more of the resource units from the group; or (3) determining when the group of resource units reaches the predetermined second level after one or more of the resource units has been removed from the group and based upon a thickness of one or more of the resource units and a distance between the first level and the second level. As such, applicants respectfully submit that Blanck fails to render claim 48 obvious.

By the above amendments, independent claims 49-50 have been canceled.

Independent claim 51 was added by a previous Amendment based upon a combination of independent claim 16 and dependent claim 19 (previously canceled)

and was a previously allowed claim that the Examiner has now rejected in view of Blanck. Independent claim 51 has been amended similarly to independent claim 16 discussed above and therefore, the comments presented above relating to claim 16 apply equally to claim 51 since claim 51 further defines the subject matter thereof. Specifically, there is no teaching, suggestion or motivation in Blanck of: (1) identifying a predetermined second level of a stack of sheet articles, wherein the predetermined second level is lower than a first level; (2) removing one or more sheet articles from the stack; (3) determining an actual thickness (e.g., by actual measurement) of one or more of the sheet articles removed from the stack; or (4) determining when the stack of sheet articles reaches the predetermined second level based upon the determination of actual thickness of one or more of the sheet articles and a distance between the first level and the second level. As such, applicants respectfully submit that Blanck fails to render claim 51 obvious.

Independent claim 52 was added by a previous Amendment based upon a combination of independent claim 16 and dependent claim 20 (previously canceled) and was a previously allowed claim that the Examiner has now rejected in view of Blanck. Independent claim 52 has been amended similarly to independent claim 16 discussed above and therefore, the comments presented above relating to claim 16 apply equally to claim 52 since claim 52 further defines the subject matter thereof. Specifically, there is no teaching, suggestion or motivation in Blanck of: (1) identifying a predetermined second level of a stack of sheet articles, wherein the predetermined second level is lower than a first level; (2) removing one or more sheet articles from

the stack; (3) determining an actual thickness (e.g., by actual measurement) of one or more of the sheet articles removed from the stack; or (4) determining when the stack of sheet articles reaches the predetermined second level based upon the determination of actual thickness of one or more of the sheet articles and a distance between the first level and the second level. As such, applicants respectfully submit that Blanck fails to render claim 52 obvious.

Independent claim 53 was added by a previous Amendment based upon a combination of independent claim 21 and dependent claim 25 (previously canceled) and was a previously allowed claim that the Examiner has now rejected in view of Blanck. Independent claim 53 has been amended similarly to independent claim 21 discussed above and therefore, the comments presented above relating to claim 21 apply equally to claim 53 since claim 53 further defines the subject matter thereof. Specifically, there is no teaching, suggestion or motivation in Blanck of: (1) a controller for identifying a predetermined second level of a group of resource units, wherein the predetermined second level is lower than a first level; (2) a device for removing one or more of the resource units from the group; or (3) the controller further being adapted for determining when the group of resource units reaches the predetermined second level after removal of one or more of the resource units from the group and based upon a thickness of one or more of the resource units and a distance between the first level and the second level. As such, applicants respectfully submit that Blanck fails to render claim 53 obvious.

Independent claim 54 was added by a previous Amendment based upon a combination of independent claim 21 and dependent claims 25-26 (previously canceled) and was a previously allowed claim that the Examiner has now rejected in view of Blanck. Independent claim 54 has been amended similarly to independent claim 21 discussed above and therefore, the comments presented above relating to claim 21 apply equally to claim 54 since claim 54 further defines the subject matter thereof. Specifically, there is no teaching, suggestion or motivation in Blanck of: (1) a controller for identifying a predetermined second level of a group of resource units, wherein the predetermined second level is lower than a first level; (2) a device for removing one or more of the resource units from the group; or (3) the controller further being adapted for determining when the group of resource units reaches the predetermined second level after removal of one or more of the resource units from the group and based upon a thickness of one or more of the resource units and a distance between the first level and the second level. As such, applicants respectfully submit that Blanck fails to render claim 54 obvious.

By the above amendments, independent claims 55-57 have been canceled.

Independent claim 58 was added by a previous Amendment based upon a combination of independent claim 41 and dependent claim 43 (previously canceled) and was a previously allowed claim that the Examiner has now rejected in view of Blanck. Independent claim 58 has been amended similarly to independent claim 41 discussed above and therefore, the comments presented above relating to claim 41 apply equally to claim 58 since claim 58 further defines the subject matter thereof.

Specifically, there is no teaching, suggestion or motivation in Blanck of: (1) identifying a predetermined second level of a group of resource units, wherein the predetermined second level is lower than a first level; (2) removing one or more of the resource units from the group; or (3) determining, based upon a thickness of one or more of the resource units and a distance between the first level and the second level, when the group of resource units reaches the predetermined second level after one or more of the resource units has been removed from the group. Additionally, the distinguishing aspects of the present subject matter over Blanck discussed above are further defined with the inclusion of present subject matter in a computer program product environment. As such, applicants respectfully submit that Blanck fails to render claim 58 obvious.

Regarding claims 2, 10, 22, 30 and 45, the Examiner contends that while Blanck specifically discloses using the invention with an image forming machine, it would have been obvious to one of ordinary skill in the art that the method could be employed in monitoring other stacking environments such as a mail insertion system. By the above amendments, claims 10 and 30 have been canceled. Claim 2 depends from claim 1. Claim 22 depends from claim 21. Claim 45 depends from claim 44. Therefore, the comments presented above relating to claims 1, 21 and 44 apply equally to claims 2, 22 and 45 since these dependent claims further define the subject matter thereof.

Regarding claims 3, 11, 23, 31 and 42, the Examiner states that Blanck discloses that the sheet thickness is determined before the sheet is added to the

group. By the above amendments, claims 11 and 31 have been canceled. Claim 3 depends from claim 1. Claim 23 depends from claim 21. Claim 42 depends from claim 41. Therefore, the comments presented above relating to claims 1, 21 and 41 apply equally to claims 3, 23 and 42 since these dependent claims further define the subject matter thereof.

Regarding claims 4, 12, 17, 24 and 32, the Examiner contends that Blanck discloses a sensor which operates in the same way as applicants' sensor. By the above amendments, claims 12 and 32 have been canceled. Claim 4 depends from claim 1. Claim 17 depends from claim 16. Claim 24 depends from claim 23 that depends from claim 21. Therefore, the comments presented above relating to claims 1, 16 and 21 apply equally to claims 4, 17 and 24 since these dependent claims further define the subject matter thereof.

Regarding claims 5 and 13, the Examiner contends that Blanck discloses measuring the thickness of the sheet. By the above amendments, claim 13 has been canceled. Claim 5 depends from claim 1. Therefore, the comments presented above relating to claim 1 apply equally to claim 5 since this dependent claim further define the subject matter thereof.

Regarding claims 6 and 18, the Examiner contends that merely feeding from the bottom of a stack as opposed to the top of the stack would be obvious to one of ordinary skill in the art. Claim 6 depends from claim 1. Claim 18 depends from claim 16. Therefore, the comments presented above relating to claims 1 and 16 apply

equally to claims 6 and 18 since these dependent claims further define the subject matter thereof.

Regarding claims 27-28, 35-36, and 39-40 the Examiner contends that Blanck discloses a display. By the above amendments, claims 35-36 and 39-40 have been canceled. Claim 27 depends from claim 21 and claim 28 depends from claim 27. Therefore, the comments presented above relating to claim 21 apply equally to claims 27-28 since these dependent claims further define the subject matter thereof.

In particular regard to claims 16, 48, 50, 51 and 52, the Examiner contends that Blanck discloses that it is known to temporarily halt the operation of the printer when the stack reaches a particular size. By the above amendments, claim 50 has been canceled. As discussed above, Blanck discloses a device wherein the determination that the output level of the output stack has reached a full level is based upon at least one physical characteristic and the counted number of the print media, and the print media is thereafter added to the output stack until the FULL (F) level is reached. As discussed with reference to claim 16 above, there is no teaching, suggestion or motivation in Blanck of: (1) identifying a predetermined second level of a stack of sheet articles, wherein the predetermined second level is lower than a first level; (2) removing one or more sheet articles from the stack; (3) determining an actual thickness (e.g., by actual measurement) of one or more of the sheet articles removed from the stack; or (4) determining when the stack of sheet articles reaches the predetermined second level based upon the determination of actual thickness of one or more of the sheet articles and a distance between the first level and the second

level. As discussed with reference to claim 48 above, there is no teaching, suggestion or motivation in Blanck of: (1) identifying a predetermined second level of a group of resource units, wherein the predetermined second level is lower than a first level; (2) removing one or more of the resource units from the group; or (3) determining when the group of resource units reaches the predetermined second level after one or more of the resource units has been removed from the group and based upon a thickness of one or more of the resource units and a distance between the first level and the second level. As discussed with reference to claim 51 above, there is no teaching, suggestion or motivation in Blanck of: (1) identifying a predetermined second level of a stack of sheet articles, wherein the predetermined second level is lower than a first level; (2) removing one or more sheet articles from the stack; (3) determining an actual thickness (e.g., by actual measurement) of one or more of the sheet articles removed from the stack; or (4) determining when the stack of sheet articles reaches the predetermined second level based upon the determination of actual thickness of one or more of the sheet articles and a distance between the first level and the second level. As discussed with reference to claim 52 above, there is no teaching, suggestion or motivation in Blanck of: (1) identifying a predetermined second level of a stack of sheet articles, wherein the predetermined second level is lower than a first level; (2) removing one or more sheet articles from the stack; (3) determining an actual thickness (e.g., by actual measurement) of one or more of the sheet articles removed from the stack; or (4) determining when the stack of sheet articles reaches the predetermined second level based upon the determination of actual thickness of one

or more of the sheet articles and a distance between the first level and the second level. As such, claims 16, 48, 51 and 52 are not rendered obvious by Blanck.

In particular regard to claims 37, 44, 46, 54, 56 and 57, the Examiner contends that virtually all sheet feeders and removers use mechanical devices in order to move the sheet from the stack, whether the mechanical device be a roller, oscillator, picker, belt, gripper, etc. By the above amendments, claims 37, 46, and 56-57 has been canceled. As discussed above, Blanck discloses a device wherein the determination that the output level of the output stack has reached a full level is based upon at least one physical characteristic and the counted number of the print media, and the print media is thereafter added to the output stack until the FULL (F) level is reached. As discussed with reference to claim 44 above, there is no teaching, suggestion or motivation in Blanck of: (1) a controller for identifying a predetermined second level of a group of resource units, wherein the predetermined second level is lower than a first level; (2) a device for removing one or more resource units from the group; (3) a device for determining an actual thickness (e.g., by actual measurement) of one or more of the resource units removed from the group; or (4) the controller further being adapted for determining, responsive to the determination of actual thickness and a distance between the first level and the second level, when the group of resource units is below the predetermined second level. As discussed with reference to claim 54 above, there is no teaching, suggestion or motivation in Blanck of: (1) a controller for identifying a predetermined second level of a group of resource units, wherein the predetermined second level is lower than a first level; (2) a device for removing one or

more of the resource units from the group; or (3) the controller further being adapted for determining when the group of resource units reaches the predetermined second level after removal of one or more of the resource units from the group and based upon a thickness of one or more of the resource units and a distance between the first level and the second level. As such, claims 44 and 54 are not rendered obvious by Blanck.

Applicants respectfully submit that no *prima facie* case of obviousness exists and that the disclosure of Blanck does not teach or suggest each and every element of the presently claimed subject matter. As such, it is respectfully submitted that claims 1-6, 16-18, 21-24, 27-28, 41-42, 44-45, 47-48, 51-54, and 58 are not obvious in view of the cited reference and that the rejection of these claims under 35 U.S.C. §103(a) should be withdrawn and the claims allowed at this time.

V. New Claims

New claims 59-60 have been added.

New independent claim 59 is directed to a method of monitoring resource units in a group, comprising: (a) detecting a first level of a group of resource units; (b) identifying a predetermined second level of the group of resource units, wherein the predetermined second level is lower than the first level; (c) removing one or more of the resource units; and (d) determining when the group of resource units reaches the predetermined second level after one or more of the resource units has been removed from the group and based upon an actual thickness of one or more of the resource

units and a distance between the first level and the second level. There is no teaching, suggestion or motivation in Blanck of identifying a predetermined second level of a group of resource units, wherein the predetermined second level is lower than a first level. Additionally, there is no teaching, suggestion or motivation in Blanck of removing one or more of the resource units from the group. Also, there is no teaching, suggestion or motivation in Blanck of determining when the group of resource units reaches the predetermined second level after one or more of the resource units has been removed from the group and based upon an actual thickness of one or more of the resource units and a distance between the first level and the second level. As such, applicants respectfully submit that Blanck fails to render new claim 59 obvious.

New independent claim 60 is directed to a method of monitoring a group of resource units, the method comprising: (a) providing resource units in a group stacked to a first level; (b) grasping one or more of the stacked resource units for removal of grasped resource units from the group; (c) determining an actual thickness of the grasped resource units while the grasped resource units are stacked to the first level; and (d) determining when the stacked resource units reach a second level based upon the determination of the actual thickness of the grasped resource units and a distance between the first level and the second level. There is no teaching, suggestion or motivation in Blanck of grasping one or more stacked resource units for removal of grasped resource units from a group. Additionally, there is no teaching, suggestion or motivation in Blanck of determining an actual thickness of the grasped resource units

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while the grasped resource units are stacked to a first level. Also, there is no teaching, suggestion or motivation in Blanck of determining when the stacked resource units reach a second level based upon the determination of the actual thickness of the grasped resource units and a distance between the first level and the second level. As such, applicants respectfully submit that Blanck fails to render new claim 60 obvious.